

ORIGINAL

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**FILED**  
DISTRICT COURT OF GUAM  
SEP 15 2005  
MARY L.M. MORAN  
CLERK OF COURT

8 **IN THE UNITED STATES DISTRICT COURT**  
9 **FOR THE TERRITORY OF GUAM**

10 UNITED STATES OF AMERICA, )  
11 )  
12 Plaintiff, )  
13 vs. )  
14 ALEX DE LARA COSTELLO, )  
15 Defendant. )

CRIMINAL CASE NO. 04-00024  
**GOVERNMENT'S STATEMENT  
ADOPTING FINDINGS OF  
PRESENTENCE REPORT, AND MOTION  
FOR A ONE-LEVEL DEPARTURE**

16 Pursuant to General Order 88-1, as amended by General Orders 93-00006 and 98-00002,  
17 the United States adopts the findings of the Presentence Report for the above defendant.

18 In addition, the United States of America, plaintiff, by and through the undersigned  
19 counsel Karon V. Johnson, Assistant United States Attorney, moves this Honorable Court for a  
20 one level departure downward from the guidelines sentencing level pursuant to USSG § 3E1.1(b)  
21 because the defendant timely notified the government of his intention to enter a plea of guilty,  
22 thereby permitting the government to avoid preparing for trial and permitting the court to allocate

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1 its resources efficiently. As reflected in the presentence report, defendant's total offense level  
2 will be 27

3 RESPECTFULLY SUBMITTED this 15<sup>th</sup> day of September, 2005.

4 LEONARDO M. RAPADAS  
5 United States Attorney  
6 Districts of Guam and the CNMI

7 By:   
8 KARON V. JOHNSON  
9 Assistant U.S. Attorney